

UNITED STATES DISTRICT COURT FEB 21 '25 PM 12:34 (13)C
DISTRICT OF MASSACHUSETTS

PAUL JONES,

Plaintiff,

v.

Massachusetts Regional Transit Authority et al

Defendant.

Civil No. 19-11093-MRG

**PLAINTIFF'S MOTION TO EXCLUDE DEFENDANT HB SOFTWARE SOLUTIONS,
INC. AS A PARTY TO THIS LAWSUIT**

NOW COMES the Plaintiff Paul Jones, and respectfully moves this Honorable Court to exclude Defendant HB Software Solutions, Inc. ("HBSS") as a party to this lawsuit. In support of this motion, Plaintiff states as follows:

1. Plaintiff has been trying to confer with Attorney David H. Rich since March of 2020. He has never responded to any of my phone calls or emails. Since I have heard from his status report, I move the court to dismiss HBSS from this case as the First Circuit did not

include his client in the appeal, which is why I understand why he never responded to my opening appeals brief.

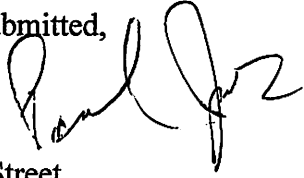
2. On Friday, March 6, 2020, two days after the court dismissed my TCPA claims I contacted Attorneys Deborah Eckers and David H. Rich by email to confer regarding the Court's March 4, 2020, dismissal of my TCPA case. (See Exhibit 1) I was planning to file a Motion for Interlocutory Appeal on the dismissal of the TCPA Counts. We had a conference regarding this, and both Attorneys Deborah Eckers and David H. Rich objected to me filing a Motion for Interlocutory Appeal on my TCPA dismissal on March 4, 2020. It was stated that I would have to wait anyway until there was a final judgment in the case to file an appeal. That was the last time Attorney David Rich responded to me. I believe we could have come to an earlier agreement if there was a response to my emails and phone calls to him and we had conferred, which could have saved a lot of time.
3. Upon careful review of the First Circuit Court of Appeals' case *Jones v. Montachusett Regional Transit Authority, et al.*, Case No. **22-1234**, I agree that the appeals court did not include HBSS as a Defendant-Appellee in this case, Case No. 22-1234, or Case No. 4:19-cv-11093-MRG.
4. I am willing to agree that Defendant HBSS is not a party to the appeal or a Defendant-Appellee in Case No. **22-1234** or Case No. 4:19-cv-11093-MRG.
5. Plaintiff respectfully requests that this Court acknowledge that HBSS was not part of the appeal and forever dismiss HBSS with prejudice from Case No. 4:19-cv-11093-MRG.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court:

A. Exclude Defendant HB Software Solutions, Inc. from this lawsuit; B. Grant any other relief that this Court deems just and proper.

Respectfully submitted,

Paul Jones

A handwritten signature in black ink, appearing to read 'Paul Jones', with a stylized flourish at the end.

79 Thompson Street

Springfield Ma 01109

617-939-5417

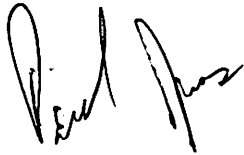
Pj22765@gmail.com

CERTIFICATE OF SERVICE

I, Paul Jones hereby certify that this document has been filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on February 21, 2025.

/s/ Paul Jones

Paul Jones

A handwritten signature in black ink, appearing to read 'Paul Jones', is written over the printed name.

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